

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 694 of 2018

Rohit Shrivas S/o Shree Kapil Shrivas Aged About 32 Years
R/o Ward No. 3, Kailash Nagar, Kawardha Distt. Kabirdham
Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through In Charge Police Station
Gandai, District Kawardha (Kabirdham) Chhattisgarh.
--- **Respondent**

For the applicant	:	Mr. Ashok Swarnkar, Advocate.
For the Respondent	:	Mr. Suryakant Mishra, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.03.2018

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 304 of 2017 registered at Police Station Gandai, Distt. Rajnandgaon (C.G) for the offences punishable under Sections 457 & 380 of IPC.
2. As per the prosecution case, a report was made by one Ashish Tamrakar that in the intervening night of 9th & 10th of December, theft was committed in his jewelery shop and the ornaments worth Rs.6,86,100/- were stolen along-with cash of Rs.4500/-. Subsequently one of the co-accused Lokeshwar was arrested and on his memorandum, the present applicant has been arrested.
3. Learned counsel for the applicant submits that the applicant has been inculpated on the statement of memorandum of other accused and the main allegations have been levelled against Lokeshwar. He submits that the charge sheet has

been filed and the applicant is in jail since 10.12.2017 therefore he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the statement of other accused Lokeshwar. It appears that only on the statement of accused Lokeshwar, the present applicant has been arrested on the ground that the stolen goods were handed over to the applicant.
6. Considering the nature of allegations made against the present applicant as also the fact that the charge sheet has been filed in this case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**